REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) N/A
TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): Library	DATE: 02/19/2013

SUBJECT: San Diego Circuit Fines and Fees for Library Materials.

PRIMARY CONTACT (NAME, PHONE): Deborah Barrow,(619) 236-5843	SECONDARY CONTACT (NAME, PHONE): Patricia Jenkins, (619) 236-5847

COMPLETE FOR ACCOUNTING PURPOSES

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	$0.00	0.00	0.00	0.00	0.00
FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE):

ROUTING AND APPROVALS

CONTRIBUTORS/REVIEWERS:		APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Liaison Office		ORIG DEPT.	Barrow, Deborah	2/27/203
Financial Management		CFO		
Comptroller		DEPUTY CHIEF		
		COO		
		CITY ATTORNEY	Gleeson, Carrie	
		COUNCIL PRESIDENTS OFFICE		

PREPARATION OF: ☒ RESOLUTIONS ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)

1) Approve the proposed fines of $1 per day with a maximum charge of $15, and the fee of $100 for late and lost materials borrowed through the San Diego Circuit as reasonable in light of the standard fines set by the San Diego Circuit and the deterrent value of library fines;

2) Direct that the City Clerk amend the City Ratebook to add the late and lost materials fines for materials

borrowed through the San Diego Circuit;

3) That the proposed fee schedule adjustment shall be effective upon adoption of this resolution.

STAFF RECOMMENDATIONS:
Approve proposed fines and fees schedule and structure for San Diego Circuit materials.

SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)

COUNCIL DISTRICT(S):	All
COMMUNITY AREA(S):	All
ENVIRONMENTAL IMPACT:	N/A
CITY CLERK INSTRUCTIONS:	Route to Secondary Contact when fully executed.

COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE: 02/19/2013
ORIGINATING DEPARTMENT: Library
SUBJECT: San Diego Circuit Fines and Fees for Library Materials.
COUNCIL DISTRICT(S): All
CONTACT/PHONE NUMBER: Deborah Barrow/(619) 236-5843

DESCRIPTIVE SUMMARY OF ITEM:
Authorize the Mayor or his designee to implement the fines and fees schedule for San Diego Circuit library materials for San Diego Public Library. San Diego Circuit is an agreement among local libraries that provides a mutual lending arrangement for printed materials and will be available through the San Diego Public Library (SDPL) website. Fines for late materials will be $1 per day with a maximum charge of $15. The Lost Materials fee will be $100.

STAFF RECOMMENDATION:
Approve proposed fines and fees schedule and structure for San Diego Circuit materials.
EXECUTIVE SUMMARY OF ITEM BACKGROUND:
San Diego Circuit is an agreement among local libraries that provides a mutual lending arrangement for printed materials and will be available through the San Diego Public Library (SDPL) website at www.sandiegolibrary.org. All Consortium members offer SDPL customers the ability to request items which are not available in the SDPL catalog or in the circulating portion of the library collection. The current Consortium members are: University of California at San Diego, California State University San Marcos, University of San Diego, San Diego County Library System, and San Diego State University. San Diego Public Library is becoming active in the San Diego Circuit after a long period of nonparticipation. The Circuit began offering services to San Diego County residents in 2001. At that time, SDPL was a founding member; however participation was curtailed due to financial constraints. SDPL is currently in the process of activating participation as a result of funding provided by the Office of Council Member Lori Zapf for FY 12/13 and FY 13/14 for the sole purpose of Consortium membership. The tentative start date will be May 1, 2013.

All user fee adjustments recommended in this item have been reviewed by the City Attorney's Office (CAO) for compliance with Proposition 26, approved by voters in 2010. After reviewing the fines and fees structure, the CAO has indicated that these charges do not fall within the restrictions outlined by Proposition 26 because they are fines and fees for late and lost materials (see attachment). Although the CAO memorandum references a total fine of $140, the Library is proposing a total fine of $115 which is consistent with the fines being charged by the other Circuit members. The Library is not proposing to include the $25 processing fee referenced in the memorandum.

Administrative Regulation 95.25 provides that the Library Director shall have the authority to establish fines and fees for the use of library facilities and services, subject to the approval of City Council.

FISCAL CONSIDERATIONS: The San Diego Circuit, User Fine and Fee Policy schedule is as follows: Fines for items returned beyond the approved due date will be charged at a cost of $1 per day up to a maximum of fifteen days or $15. This fine has been set as the maximum charge a user will be responsible for when an item is returned after the due date. On the fifteenth day, the missing item will be automatically marked as "LOST" in the Circuit Database. Once the item is lost, the library card user can still return the item and pay the maximum allowable fine of $15. If the item is not returned the user will be accessed a cost recovery fee of $100 for any item which is not returned to a San Diego Circuit Library. Once the $100 lost fee is paid there will be no refund of any fines or fees related to the item. This is the existing fine and fee structure in use by all San Diego Circuit Consortium members.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE): N/A

PREVIOUS COUNCIL and/or COMMITTEE ACTION (describe any changes made to the item from what was presented at committee): No previous Council Resolution on the San Diego Circuit fines and fees has taken place; start-up services are still in the implementation stage with a tentative start date of April 1, 2013.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: In addition to the public noticing for City Council meetings on implementation of the San Diego Circuit, the Library will also notify the public of the fines and fees structure on our website and in our branch libraries.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: Activating Consortium membership in the San Diego Public Library provides San Diego residents access to resources previously unavailable. By offering materials available from the University of California at San Diego, University of San Diego, California State University San Marcos, San Diego State University and San Diego County Library System, the Council is expanding the educational, cultural, and lifelong learning potential for San Diego City residents.

The San Diego Circuit fines and fees structure will serve as a deterrent and is designed to encourage prompt return of materials. As a result of the Library Business Process Review (BPR), borrowers will be notified by email prior to the item due date, allowing them to renew by phone. Patrons can minimize fines and fees by returning San Diego Circuit materials on time.

Barrow, Deborah
Originating Department

_____
Deputy Chief/Chief Operating Officer

Office of
The City Attorney
City of San Diego

MEMORANDUM
MS 59

(619) 533-5800

DATE: December 7, 2012

TO: Deborah Barrow, Library Director
Christine Siegel, Provisional Deputy Director

FROM: City Attorney

SUBJECT: Circuit Library System: Proposition 26 Review of Fines

INTRODUCTION

The San Diego Public Library (SDPL) proposes to become a member of the San Diego Circuit (Circuit). The Circuit is a consortium of libraries in San Diego that enables a patron of one library to borrow a book or other library materials from another library in the Circuit if the item is not available from the patron's library. Circuit members include the San Diego County Library, UCSD, USD, SDSU, and CSU San Marcos. Under the Circuit's policies, its members charge fees for overdue and lost books borrowed through the Circuit, and those fees are different than the fees currently charged by SDPL. Based on the discussion below, the fees charged under the Circuit rules for late and lost library materials are fines that are not subject to the restrictions imposed by Proposition 26.

DISCUSSION

If SDPL joins the Circuit, consistent with the Circuit's policies, SDPL would charge $1.00 per day for overdue Circuit materials, as opposed to SDPL's current overdue charge of .30 cents per day. After fifteen days, SDPL would bill the patron a nonrefundable $140 for the lost item (including the $15 in late charges). Currently, SDPL charges for overdue materials up to $20 for adults or $5 for juveniles. If the item is lost, the patron is charged the cost of the item plus $10 or $5 for juveniles.

Under the Circuit's policies, the Circuit member library (the borrowing library) whose patron has lost an item borrowed from another Circuit member library (the lending library) is responsible for charging its patron for the lost item. The borrowing library collects and keeps the fine. The money is not provided to the lending library for replacement of the item.

Approved by the voters in 2010, Proposition 26 amended articles XIII A and XIII C of the California Constitution to provide that a levy, charge, or exaction of any kind imposed, increased, or extended by a local government is a tax unless an exception applies. Proposition 26 contains several exceptions that cover many of the fees typically imposed by government. These exceptions include fees for services and fines and penalties.

The fees described above do not constitute a "tax" under Proposition 26 because they are a fine or penalty. Fines and penalties are not included within the definition of "tax" under Proposition 26, and are not subject to its requirements. (Cal. Const. art. XIII C, § 1(e)(5)). These include administrative penalties like library fines.[1] The City does not need to show the penalty is reasonable, nor must it establish a fair and reasonable relationship between the penalty and benefit or privilege provided. *People v. Union Pacific Railroad Company*, 141 Cal. App. 4th 1228, 1257-1258 (2006). Penalties may be imposed without regard to actual damage sustained. *Id.*[2]

Fines for the late return of library materials and for loss or damage to library materials are fines imposed to encourage the proper treatment and safekeeping of library materials and their prompt return. The $1 per day late fee and the $140 lost book fee fall into this category. Proposition 26 does not apply to the imposition of these fines.[3]

Some of the Circuit member libraries treat the $140 as comprised of $15 in late fees, a $100 lost book fee, and a $25 "processing fee." SDPL has the option of treating the entire amount as a fine for loss of the library materials, and intends to do so. If SDPL chose to treat part of the amount as a processing fee, the validity of that fee would require additional analysis. As proposed however, the $140 fine would be imposed on the patron by SDPL for the loss of a borrowed item, and as such, is not a "tax" within the meaning of Proposition 26.

Note also that the fact that the fine that is collected by the borrowing library from the patron is kept by the borrowing library, and not reimbursed to the lending library, does not create a gift of public funds issue. The Circuit member libraries agree to lend their materials, not give them away. If an item is not returned, the patron is fined and is not permitted to borrow again until the fine is paid. In joining the Circuit, a member library takes the risk of the loss of items that are lent, offset by the benefit of retaining the fines it collects against its own patrons for lost materials.

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[1] A "penalty" within the meaning of Proposition 26 is "a sum of money exacted as punishment for either a wrong to the state or a civil wrong (as distinguished from compensation for the injured party's loss)." Black's Law Dictionary (9th ed. 2010). *See also,* the Memorandum of Law issued March 4, 2011 (City Att'y MOL No. 2011-3) at p. 9 discussing administrative fees as fines and penalties within the context of Proposition 26.

[2] The City's policy, however, is to impose fines in amounts that are both reasonable and serve a deterrent effect. Council Policy 100-05 (Mar. 20, 2009).
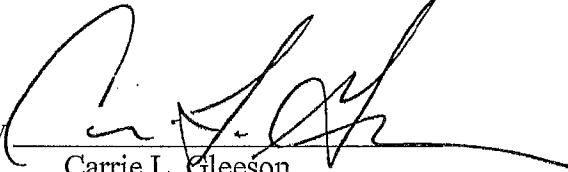
[3] *See* San Diego Admin. Reg. 95.25 (Jan. 1, 1988) for the process for establishing or revising a fee.

Deborah Barrow, Library Director
December 7, 2012
Page 3

CONCLUSION

The fines and fees analyzed in the Library's Fee Study are exempt from the definition of "tax" contained in Proposition 26 because they are fines and penalties. Accordingly, we conclude that none of the fees listed are a "tax" under Proposition 26.

JAN I. GOLDSMITH, CITY ATTORNEY

By _____
Carrie L. Gleeson
Deputy City Attorney

CLG:mr
cc: Gail Granewich, City Treasurer
Doc. No.: 479624

CLAIMS RETURNED

When a Circuit patron has an overdue Circuit item, he or she may request that a "claims returned" be initiated to verify that the material has indeed been returned. When the claims returned function is initiated, the item's status will change to "z" (CLAIMS RET'D) at the OWNING institution.

From the III menu, use the **R > Claims RETURNED** function on the ADDITIONAL CIRCULATION FUNCTION screen. After entering your initials and password, you will receive a prompt for the PATRON ID. Enter the patron's information. The system will display the patron's record and a list of all checked out items. Select the items that the patron claims to have returned. Exit the **R > Claims RETURNED** function. The system will now ask for the date on which the item is claimed to have been returned. It is not necessary to enter a date at this time. Some institutions may wish to monitor these dates, but again it is not a necessity.

The system will now:

- Remove the virtual item record from the patron record
- Add a NOTE field to the patron record containing the phrase "**Claimed returned**", the date on which the item is claimed to have been returned, the item record number, and the Owning Site's site code.
- Remove the virtual patron record from the item record at the Owning Site.
- Send a message to the Owning Site, and a NOTE field is added to the actual Item record at the Owning Site, containing the transaction date, the phrase "**Claimed returned on**" followed by the date on which the item is claimed to have been returned, the patron's Patron record number, and the site code of the patron's home institution.
- Change the item status to "Claims Returned" (z) and the LCHKIN field is updated. The OUT DATE, DUE DATE, and LOAN RULE fields in the Item record are cleared.
- Each CLAIMS RETURNED transaction is recorded in the Items on Search file at the Owning Site, which may be viewed in the **Create Lists of Records** function.

Note: If the item in question has already been billed, the Claims Returned function will assess a $15 billing charge to the patron. The fine should be taken off the patron's record during the searching procedure.

The BORROWING institution should contact the OWNING institution and inform them that a claims returned has been initiated for material. Both institutions can then search their stacks for the material. The OWNING institution will then communicate with the BORROWING institution on the outcome of the search. If the search is successful, the BORROWING institution may clear the patron's record of the claims returned note. The OWNING institution can clear the book's status as well as clearing the note field.

If the search is unsuccessful, the BORROWING institution should add a manual charge for replacement of the material. At present, the Circuit replacement charge is $140 ($100 replacement charge, $25 processing charge, $15 fines).

Maintenance may be kept on outstanding claims returned items by using the Create Lists and the Items on Search file at the Owning sites. The procedures are as follows:

1. From the Main menu, choose: **M > MANAGEMENT information**, **L > Create Lists of records**

2. Find two empty Create List files.

3. Copy the Items on Search file to your first empty Create List file.

   a. Chose one of the empty Create List files by keying its line number.
   b. Choose the option: **1 > Copy an existing file.**
   c. INNOPAC prompts you to **Select the file to copy FROM: (choose Z for your own file).** Go **FORWARD** to the "Items on search" review file. Enter its line number.

        d. INNOPAC prompts you to **Select the file to copy TO: (choose Z for your own file).** Enter **Z**.

        e. INNOPAC displays the message **Copying from "Items on search" to "Empty"** If the information on screen is accurate, confirm when INNOPAC asks you if this is correct. You have now created a file called "items on search (<today's date>)".

        f. Quit back to the list of review files.

4. Create a new Create List file using the "Items on search (<today's date>)" file you just created as the record range for your search.

        a. Chose one of the empty Create List files by keying its line number.

        b. Choose the option: **2 > Create a new file**.

        c. When INNOPAC asks you what type of file you would like to create, select **I > ITEM list**.

        d. When INNOPAC prompts you for search criteria, key **x** for the NOTE field and **H** for the Boolean HAS operator.

        e. Key the @ symbol to search for Claims Returned items and press <ENTER>.

        f. Limit your search by range by keying \.

        g. When INNOPAC prompts **Search records contained in another review file? (y/n)**, key **y**.

        h. Select the review file you created in step 3 above (i.e., "Items on search (<today's date>)".

        i. Key **S** to start the search.

        j. Name the file Circuit Claims Returned.

ENHANCEMENTS

Enhancements should be submitted for discussion throughout the year to the Circuit listserv. Enhancement requests should include a detailed description of the system's current behavior and the changes proposed, along with a justification. In January, an enhancements list will be finalized and forwarded to Innovative, the Users Group and the INN-Reach listserv.

TRACKING INSTITUTIONAL OVERDUES

The report should be generated once a month with a minimum of 60 days overdue.

  I. Report is generated at the Owning Site

      A. Items are searched in the stacks.

          1. If items are found, they should be checked in.

          2. If items are not found, the report should be sent to the patron site.

  II. The Patron site searches for the items

      A. If the items are found, than they should be checked in and sent back to the owning site where they should also be checked in.

      B. If the items are not found, than the patron records should be viewed in the -+ function.

          1. If the item shows up in this function with a Circuit Returned or Circuit Received status, note this on the Institutional Report

          2. If the item shows up as billed note this on the Report

          3. If the item does not show up under this function, check the Fines Paid file under Financial Functions to see if the item has been Lost Paid. If so, note this on the Institutional Report.

  III.The Patron site should send the Institutional Report back to the Owning site with the proper notations. It is always a good idea for the Institutional Report to be searched in the stacks. If the items are found, contact Patron site. If the items are not found, the following procedures apply.

      A. The Owning site should follow the proper procedure for those listed Lost paid. (This procedure is listed on the Circuit Webpage.)

1. A local replacement procedure should begin for these items.

2. The items should be placed on the Lost Paid list for <u>Jason Schulz</u>.

B. For those items listed billed

1. The items should be placed on the LostBilled list for <u>Jason Schulz</u>

2. A local replacement procedure should begin for these items.

C. For those items listed as Not on the Patron's Record

1. If the Central Circuit site says that the item is Available, a local replacement process should begin.

2. If the Central Circuit site says that the item is Off campus, send out a search alert. If the item isn't found:

   a. Check item in at the Owning site.

   b. Items should be placed on the LostIn Transit list for <u>Jason Schulz</u>

   c. A local replacement procedure should begin for these items.

D. For those items with a Circuit Returned or Circuit Received Status

1. The stacks should be searched again and a Search Alert should be issued.

   a. If items are found follow the procedures listed under these separate reports.

   b. If items are not found begin internal replacement process and place items on Lost In-transit List for <u>Jason Schulz</u>. Remember that the Owning site needs to check the material in so that it will clear off of the report.

REPLACEMENT PROCEDURE

When a patron comes to remit payment for a lost Circuit book, the Borrowing library may accept full payment ($115.00). All monies taken in are to stay at the Borrowing institution. The patron should be given a receipt and told that if they find the book within the allotted time, as per the Borrowing institutions refund policies, they will be eligible for a $75 refund. The $25 processing charge and the $15 in fines is kept by the Borrowing institution.

If the patron has already been billed for the item, use the **F > FINANCIAL functionsM > Collect MONEY** menus to clear the patron's record. After clearing the patron's record, the Borrowing institution now checks in the barcode of the book and prints out the transit slip. Note: if the patron has yet to be billed for the item, simply check in the book and print the transit slip. The transit slip is marked "Circuit payment received" and sent to the Owning institution. When the Owning institution receives the transit slip, the book is checked in and its status changed to "Paid/Missing". A note is placed in the item record that it was paid for by a Circuit patron on what date.

If the paid item is found by the patron, they should bring the item to the Borrowing institution along with their receipt. The Borrowing institution will then initiate their refund procedure. The book is then sent to the Owning institution. The Owning institution can then clear the book's status and remove the note from the item record.

RETURNED TOO LONG

This report should be generated once a week.

    I.   Report is generated at the Patron Site

   II.   Search items at Patron Site on the Hold Shelf and in the Stacks.

        A.   If material is found at Patron site, than send book back to the Owning site.

            1.   Owning site should check the material in.

        B.   If the material is not found, than send the report to the Owning site for searching.

            1.   If found at Owning site, than check the material in.

                a.   If the item says not checked out when checking material in, notify patron site that -+ function must be used to delete book from patron's record.

            2.   If the items are not found, the Owning site should send out a Search Alert.

                a.   If the materials are found, than they should be sent back to the Owning site where they should be checked in.

                b.   If the Search Alert is unsuccessful, the Owning site should:

                    i.   Check the material in to clear the item off of the report.

                    ii.   Begin internal replacement process.

                    iii.   Place these items on Lost In Transit list for <u>Jason Schulz</u>. (If Central Circuit status says **AVAILABLE**, than the item was presumably lost at the Owning site and should not be placed on the Lost--In Transit list).

  III.   The report should be sent back to the Patron site with the proper notations.

        A.   Indicate those items that were found and those reported lost.

  IV.   The Patron site needs to check the -+ function to make sure the item has cleared off of the record.

PAGED TOO LONG

This report should be printed daily so that these items do not show up on the Circuit Requested Too Long Report.

    1.   Owning site prints report.

    2.   Materials should be searched at the Owning site.

3. If the items are found than they can be processed as normal.

4. If the items are not found, they should be cancelled in Display and Alter Hold Queue under Holds Management (**not under Inn-Reach functions because this will not allow a re-request of the item from another site**).

IN TRANSIT TOO LONG

This report should be generated once a week.

- Patron site generates the report and searches the Hold shelf and the stacks.

    I.   If the materials are found, check the date printed next to the item on the Report.

        A.   If the date falls within the 10 day Hold period, than the item should be checked in and held for the patron.

        B.   If the date falls outside the 10 day Hold period, than the item should be sent back to the Owning site.

            1.   The Owning site should check the materials in.

                a.   If they won't check in, notify Innovative to clear the record.

                    i.   The Patron site should always check the -+ function to make sure in transit status has been cleared from the patron record. (after the owning site checks the materials in)

                    ii. If it hasn't, notify Innovative to clear it.

    II. If the materials are not found, send the report to the Owning site.

        A.   The Owning site should search their Hold shelf and the stacks.

            1.   If found and the date on the report indicates it is within the 10 day Hold period, send the item to the Patron site.

            2.   If found and the date on the report indicates it is outside the 10 day Hold period, check the item in.

                a.   If item won't check in , contact Innovative

            3.   If items are not found

                a.   The Owning site should check the item record.

                    i.   If the item record **does not** show an @ symbol, a due date and a message regarding the virtual patron than contact Innovative to clear the record.

                b.   Owning site should send a Search Alert regarding all items that are still considered missing.

         i. If the items are found, than send them back to the Owning site where they should be checked in.

        ii. If the items are not found, the Owning site should:

- Check the material in to clear the item off of the report.

- Begin the internal replacement process.

- Place the items on the Lost In transit list for Jason Schulz.

B. The Owning site should send the report back to the Patron site with the appropriate notations indicating which items were found and which were reported Lost.

C. The Patron site should check the -+ function to make sure the item has been cleared off of the record.

REQUESTED TOO LONG

This is a Patron site report that is very similar to the Owning site's Paged Too Long List. If the Paged Too Long Report is checked and cleared every day than the number of items on the Requested Too Long Report should be greatly reduced.

I. The Patron site generates the report and does not need to search for these items.

    A. Patron site should cancel the holds in View a Patron if the material was requested long ago (longer than 10 days or the number your institution decides upon) and the assumption is that the patron would not need the material any longer.

II. Patron site should send report to the Owning site with the remaining requested items listed.

III. The Owning site should search for the material and if they are found, should process them as a normal circuit request. If there is no paging slip anymore, check-in the item to generate a new one.

    A. If the material is not found, than the Owning site should cancel the request through the Display and Alter Hold Queue under Holds Management (**Not under Inn-Reach functions since this will not allow a re-request of the item from another site**).

        1. The Owning site should send a Search Alert.

           a. the item is found, follow the procedures above.

           b. the item is not found, a local search policy should follow. These items should not be placed on the Lost Circuit List since these materials were presumably never sent to the Patron site.

IV. The report should be sent back to the Patron site with the appropriate notations next to the items.

    A. The Patron site should view the patron record in the -+ function to make sure that any cancelled requests are reflected.

        1. If they are not reflected, than Innovative must be contacted so that they can clear the Hold

RECEIVED TOO LONG

● The patron site generates this report and searches the Hold Shelf and the Stacks for those items dated longer than 10 days.

    I.   If the material is found:

        A.   The Patron site should clear the material through the Inn-Reach function titled Return Unwanted Inn-Reach items to the Owning Institution.

            1.   Contact Innovative to clear the record if the item will not clear.

        B.   Send the material back to the Owning site.

   II.   If the material is not found, the report should be sent to the Owning site where the materials will be searched.

        A.   If the owning site locates the items, than the Owning site must check the materials in.

            1.   Contact Innovative to clear the record if the item will not check in.

        B.   If the Owning site cannot locate the items, than the Owning site should view the Item record.

            1.   If the item record **does not** show an @symbol, a due date and a message regarding the virtual patron, than contact Innovative to clear the record.

            2.   For all items that are not found, a Search Alert should be sent to the other Universities.

                a.   If the items are found, they should be sent to the Owning site where they will be checked in.

                b.   If the Search Alert is unsuccessful, the Owning site should:

                    i.   Check the material in to clear the item off of the report.

                   ii.   Begin internal replacement process.

                  iii.   Place these items on Lost In Transit list for Jason Schulz.

        C.   The report should be sent back to the Patron site with the proper notations.

            1.   Indicate those items that were found and those reported lost.
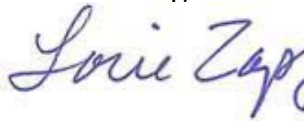
Corrections to: Circuit Webmaster (Last updated: 2/22/07)

COUNCILMEMBER LORIE ZAPF
COUNCIL DISTRICT SIX
MEMORANDUM

DATE: May 21, 2012

TO: Honorable Mayor Jerry Sanders
              Mark Leonard, Director Financial Management

FROM: Councilmember Lorie Zapf

Cc: Deborah Barrow, Library Director
              Raul Gudino, Financial Management
              Lori Witzel, Council Administration

SUBJECT: FY 12 CPPS Funding for Library Circuit- Revised

In the past week I was approached by City of San Diego Library Commission with their list of budget priorities for the upcoming fiscal year. They expressed a desire for the City of San Diego to participate in the San Diego Library Circuit which will enable our residents to have access to materials from university and public libraries throughout the region. This means millions more materials available to those who use the San Diego Public Library. Upon further discussion the one time set-up costs for the circuit will be $31,000.

These funds should be transferred from:

Cost Center: 1106110006
Fund: 100000
G/L: 512142

And transferred to:

Cost Center: 1713000001
Fund: 100000
Functional Area: OTHR-00000000-CL
G/L: 512043

Thank you for your consideration of this matter that will benefit all of our library patrons in the coming years.

COUNCILMEMBER LORIE ZAPF
COUNCIL DISTRICT SIX

MEMORANDUM

DATE: May 21, 2012

TO: Honorable Mayor Jerry Sanders
     Mark Leonard, Director Financial Management

FROM: Councilmember Lorie Zapf

Cc: Deborah Barrow, Library Director
     Raul Gudino, Financial Management
     Lori Witzel, Council Administration

SUBJECT: FY 13 CPPS Funding for Library Circuit Annual Fee- Revised

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In addition to funding the set-up fees for the San Diego Library Circuit out of my D6 CPPS funds, which will enable our residents to have access to materials from university and public libraries throughout the region, I would like to pay for the first year's annual fee out of my CPPS as well. Per my discussion with your team we will be funding the annual fee out of FY 13. While this completes the first year's funding, I am committed to see this funding continue in future years and will work to provide funding in future years. This action will mean millions of more materials will be available to those who use the San Diego Public Library. The annual cost for the circuit for the coming year will be $44,500.

These funds should be transferred from:

Cost Center: 1106110006
Fund: 100000
G/L: 512142

And transferred to:

Cost Center: 1713000001
Fund: 100000
Functional Area: OTHR-00000000-CL
G/L: 512043

Thank you for your consideration of this matter that will benefit all of our library patrons in the coming years.

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO DIRECTING THE CITY CLERK TO REVISE THE
RATEBOOK OF CITY FEES TO ADD FINES FOR OVERDUE
AND LOST MATERIALS BORROWED THROUGH THE SAN
DIEGO CIRCUIT PROGRAM

WHEREAS, the San Diego Circuit is a consortium of libraries in San Diego that enables

a patron of one library to borrow a book or other library materials from another library in the

Circuit; and

WHEREAS, San Diego Circuit members include the San Diego County Library and the

library collections at local universities including University of California at San Diego,

University of San Diego, San Diego State University, and California State University at San

Marcos; and

WHEREAS, the City's San Diego Public Library was previously a member of the Circuit

and has recently obtained funding to reactivate its membership; and

WHEREAS, consistent with Circuit policies, the Library proposes to charge overdue

fines of $1 per day up to $15, and a lost materials fine of $100, for a total fine of $115 if the

materials are not returned; and

WHEREAS, the proposed fines are fines imposed for a deterrent effect under Category

III of Council Policy 100-05, and are not cost-based user fees; and

WHEREAS, the proposed fines are reasonable in light of the desired deterrent effect, the

Circuit's policies, and the fines being charged by other Circuit members; NOW, THEREFORE,

Document Number:

BE IT RESOLVED, by the Council of the City of San Diego that fines for late and lost materials borrowed through the San Diego Circuit of $1 per day up to $15 for overdue materials and $100 for lost materials, for a total fine if the materials are not returned of $115, is approved as reasonable in light of the standard fines set by the San Diego Circuit and the deterrent value of library fines.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to amend the City Ratebook to add the late and lost materials fines for materials borrowed through the San Diego Circuit.

BE IT FURTHER RESOLVED, that the proposed fines for late or lost Circuit materials shall be effective upon adoption of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   _____
      Carrie L. Gleeson
      Deputy City Attorney

CLG:

Or.Dept: Library
Doc. No.:

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____ .

ELIZABETH S. MALAND
City Clerk

By_____
Deputy City Clerk

Approved: _____   _____
                (date)   BOB FILNER, Mayor

Vetoed: _____   _____
             (date)   BOB FILNER, Mayor

Document Number: